

489—2.5(237) Confidentiality of records—penalty.

2.5(1) The information and records of or provided to a local board or the state board regarding a child receiving foster care and the child's family when relating to the foster care placement are not public records pursuant to Iowa Code chapter 22 and section 237.21. The state board and local boards, with respect to hearings involving specific children receiving foster care and the child's family, are not subject to Iowa Code chapter 21.

2.5(2) Information and records relating to a child receiving foster care shall be provided to a local board or the state board by the department or child-care agency upon request by either board. A court having jurisdiction of a child receiving foster care shall release the information and records the court deems necessary to determine the needs of the child, if the information and records are not obtainable elsewhere, to a local board or the state board upon request by either board. Confidential records and information that are distributed to members of the board in advance of a meeting of the state or local board shall be clearly identified as confidential and the members shall take appropriate steps to prevent unauthorized disclosure.

2.5(3) Members of the state board and local boards and the employees of the department are subject to the standards of confidentiality pursuant to Iowa Code sections 600.16, 217.30 and 235A.15. Members of the state and local boards and employees of the department shall not disclose information or records of the board or department, other than as provided in subrule 2.5(2).

This rule is intended to implement Iowa Code sections 17A.3 and 237.21.